



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
THE TRUSTEES OF THE UNITE HERE  
NATIONAL HEALTH FUND and THE TRUSTEES  
OF THE UNITE HERE NATIONAL RETIREMENT  
FUND,

Plaintiffs,

-against-

RUFFOLO BROS., INC.,

Defendant.

**ORDER TO SHOW CAUSE  
FOR ENTRY OF DEFAULT  
JUDGMENT**

**07 Civ. 6967 (RMB)**

Upon the annexed Affidavits of Mark Schwartz, Esq., sworn to the 27<sup>th</sup> day of September 2007 and upon all the proceedings had herein;

Let the defendant, Ruffolo Bros., Inc., or its attorneys show cause before this Court, to be held at the United States Courthouse thereof, located at 500 Pearl Street, New York, New York 10007, on the 31<sup>st</sup> day of OCTOBER, 2007, at 9:15 a.m., or as soon thereafter as counsel may be heard, why an Order and Judgment should not be entered against the defendant Ruffolo Bros., Inc. and in favor of plaintiff Trustees of the UNITE HERE National Health Fund in the principal amount of \$14,295.60, plus interest, liquidated damages, attorneys' fees and costs, and in favor of plaintiff Trustees of the UNITE HERE National Retirement Fund in the principal amount of \$4,209.75, plus interest, liquidated damages, attorneys' fees and costs and directing that defendant be restrained and enjoined permanently from becoming or remaining delinquent in its contributions to plaintiffs, and ordering defendant to make such contributions in accordance with the terms and conditions of the Funds' rules and regulations and the collective bargaining agreement between defendant and the New York Metropolitan Area Joint Board, Local 89-22-1, UNITE HERE, and such other and further relief as may be proper.

Service of a copy of this Order, together with the Affidavit annexed hereto, on the defendant or his attorney on or before the 5<sup>th</sup> day of OCTOBER, 2007, by personal service, shall be deemed sufficient.

Dated: 9/28/07

New York, New York

*10/1/07 conference  
IS VACATED*

*RMB*

*RMB*

Richard M. Berman  
United States District Court Judge